

REMARKS/ARGUMENTS

In the October 22, 2003 Office Action, the Examiner allowed claims 36-56 and 72-74, and rejected claims 1-35 and 57-71 pending in the application. This Response amends claims 1, 8, 10, 25, 27, 57, 69 and 70 for consideration. After entry of the foregoing amendments, claims 1-74 (6 independent claims; 74 total claims) remain pending in the application. Reconsideration is respectfully requested.

Claims 1-5, 9-12, 14-22, 25-28, 35, 57-59, 65-68 and 70-71 stand rejected under 35 U.S.C. §102(b) as being anticipated by Uzoh et al., U.S. Patent No. 5,911,619, hereinafter "Uzoh", for the reasons of record previously set forth by the Examiner.

Claims 6-8 and 60 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Yamamoto, U.S. Patent No. 5,853,317, hereinafter "Yamamoto" for the reasons of record previously set forth by the Examiner.

Claims 61-64 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh as applied to claims 6-8, 37 and 60 above, and further in view of Berman et al., U.S. Patent No. 5,882,251, hereinafter "Berman", for the reasons of record previously set forth by the Examiner.

Claims 13, 39 and 69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Bibby, Jr. et al., U.S. Patent No. 6,106,662, hereinafter "Bibby", for the reasons of record previously set forth by the Examiner.

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Tsai et al., U.S. Patent No. 5,575,706, hereinafter "Tsai", for the reasons of record previously set forth by the Examiner.

Claim 24 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Rostoker, U.S. Patent No. 5,265,387, hereinafter "Rostoker", for the reasons of record previously set forth by the Examiner.

Claims 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Marcyk et al., U.S. Patent No. 6,121,144, hereinafter "Marcyk" for the reasons of record previously set forth by the Examiner.

Finally, claims 32-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uzoh et al. in view of Marmillion et al., U.S. Patent No. 5,934,977, hereinafter "Marmillion" and Zubak, U.S. Patent No. 3,849,272, hereinafter "Zubak", for the reasons of record previously set forth by the Examiner.

In the Examiner's comments to Applicants' previously filed amendments and arguments, the Examiner stated that Applicants' rejected apparatus claims do not recite sufficient structural limitations to overcome the rejections of record. In particular, the Examiner stated that with respect to claim 1, four structural elements are recited in paragraphs a) through d) and that the last paragraph of claim 1 includes the limitations "wherein said power source applies . . . ". The Examiner further states that this limitation is written using process oriented language and describes the way in which the apparatus is intended to be operated and that the manner in which a device is operated does not distinguish apparatus claims from the prior art. The Examiner further states that claim 57 recites "a power supply configured to apply a negative charge to the electrically conductive surface and a positive charge to said at least one conducting element". The Examiner also states that Applicants' claim 69 includes a similar limitation and that Applicants' claim 70 recites "a power supply for applying a positive charge to said contact elements to create an electric potential between the metallized surface and the conducting surface disposed proximate the polishing pad."

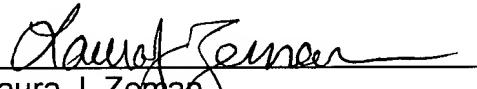
The Examiner goes on to point out that the structure which allows the process or function recited in Applicants' claims 1, 57, 69 and 70 has not been recited in those claims. The Examiner further noted that Applicants' figures show, and Applicants' specification describes, a power supply with two output connections, one of which is adapted to output a positive charge and the other of which is adapted to output a negative charge. The Examiner also stated that Applicants' figures show a structural

connection between the positive output and the electrical conductor positioned within the platen and a structural connection between the negative output and the platen itself. Therefore, the Examiner suggested that Applicants consider reciting these structural features in the claims.

In response to the Examiner's suggestion, Applicants have amended independent claims 1, 57, 69 and 70, which constitute apparatus claims, to include these structural features. Accordingly, Applicant believes claims 1-74 pending in the application should not be in condition for allowance.

In view of the foregoing, Applicants respectfully submit that all of the pending claims fully comply with 35 U.S.C. §112 and are allowable over the prior art of record. Reconsideration of the application and allowance of all pending claims is earnestly solicited. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

By 
Laura J. Zeman
Reg. No. 36,078

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
Telephone: (602) 382-6377
Facsimile: (602) 382-6070